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PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA

Notification

The 28th October, 2022

No. SEC/4E-II/2022/4353.—

To

1. The Chief Secretary to Govt. of Haryana,
Chandigarh (GS-II Branch).
2. Additional Chief Secretary to Govt. of Haryana,
Labour Department, Chandigarh

Subject:- General Elections of Panchayati Raj Institutions -- Declaration of Holiday on Poll Day.

Sir,

I have been directed to refer to the above subject and to say that the State Election Commission, Haryana has issued notification for conduct of general elections for three tiers of Panchayati Raj Institutions in 4 districts, namely; Faridabad, Fatehabad, Hisar and Palwal *vide* Notification No.SEC/4E-II/2022/4332, dated 28.10.2022 (copy enclosed). As per election schedule, nomination papers shall be presented from **05.11.2022 to 11.11.2022** and poll shall be held on **22.11.2022 and 25.11.2022**. Re-poll, if any, required, shall be held on **25.11.2022 and 27.11.2022** and counting of votes in respect of Panches and Sarpanches shall be held immediately after the close of poll at the polling stations of the Gram Panchayat concerned. Counting for election of Members of 143 Panchayat Samitis and 22 Zila Parishads shall be held on **27.11.2022** at the place(s) specified by the Deputy Commissioner-cum-District Election Officer (Panchayat) concerned and result shall be declared immediately after the completion of counting.

2. I have, therefore, been directed to request you to declare **22.11.2022 and 25.11.2022** a public holiday under section 135B of the Representation of People Act, 1951 applicable under section 173A of the Haryana Panchayati Raj Act, 1994 for all Government establishment, the factories, commercial establishments, industrial undertakings, trade, shops etc., falling within the jurisdiction, where poll shall be held on **22.11.2022 and 25.11.2022**, to enable Government employee, workers of the factories, commercial establishments, shops etc. located in the areas of the Panchayati Raj Institutions to cast their votes. Extract of section 173A of the Haryana Panchayati Raj Act, 1994 and section 135B of the Representation of People Act, 1951 is reproduced as under:-

Section 173A of the Haryana Panchayati Raj Act, 1994

“173A. Application for certain sections of Central Act 43 of 1951 to Haryana Act 11 of 1994:- The provisions of sections 20B, 33A, 134A, 134B, 135B and 135C of the Representation of the People Act, 1951 (Central Act 43 of 1951), shall mutatis mutandis apply to the provisions of this Act: Provided that provisions of section 135B shall be applicable to the residents of the area”.

Section 135B in the Representation of the People Act, 1951

“135B. Grant of paid holiday to employees on the day of poll.—

(1) Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at an election to the House of the People or the Legislative Assembly of a State shall, on the day of poll, be granted a holiday.

(2) No deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with sub-section (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him on that day.

(3) If an employer contravenes the provisions of sub-section (1) or sub-section (2), then such employer shall be punishable with fine which may extend to five hundred rupees.

(4) This section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged.”

3. I have also been directed to request you that a copy of the orders issued in this respect may kindly be sent to the State Election Commission, Haryana, immediately.

Yours faithfully,

(Sd.) ...,

Assistant State Election Commissioner,
for State Election Commission Haryana, Panchkula.